

**MENTAL WELFARE COMMISSION FOR SCOTLAND
MINUTES OF THE BOARD MEETING
HELD ON TUESDAY 12 DECEMBER 2017
IN CONFERENCE ROOM, THISTLE HOUSE, EDINBURGH
AT 10.30 AM**

Present:

The Very Rev'd Dr Graham Forbes CBE
Mr Norman Dunning
Mr Paul Dumbleton
Ms Mary Twaddle
Mr Gordon Johnston
Mr Sandy Riddell
Dr Sashi Sashidharan
Mrs Safaa Baxter

In attendance:

Mr Colin McKay, Chief Executive
Ms Alison McRae, Head of Corporate Services
Mr Mike Diamond, Executive Director, Social Work
Dr Gary Morrison, Executive Director, Medical
Ms Mary Mowat, Communications Manager
(Observer)

Secretary: Mrs Katrina Thomson, Office Manager

1. Welcome and Apologies

Apologies were received from Kate Fearnley, Executive Director, Engagement and Participation and Alison Thomson, Executive Director, Nursing.

2. Declaration of Interest

None.

3. Announcements

None.

4. Minutes of Board meeting held on 31 October 2017

The minutes were approved.

5. CEO Update

Influencing

Review of learning disability and autism in 2003 Act – Chair (Andrew Rome) and Secretary (Simon Webster) now in post.

Graham Morgan spoke at a meeting of United Nation's Committee Against Torture on the users experience of detention, which was well received.

The annual end of year meetings with health boards and local authorities are completed.

The Commission participated in the second biannual meeting for the Scottish Government's mental health strategy, leading on a rights workshop.

Visits and monitoring

The visits to people with borderline personality disorder and associated evidence gathering is now complete.

The interviews with police officers on the use of place of safety are completed.

We have circulated a survey to stakeholders asking for feedback about our monitoring reports and any areas they would like to see us report on. The results of the survey will feed into the business plan for 2018/19.

Investigations

We are doing a review of our investigations and casework - Report at item 6.5 on agenda

Advice and guidance

We held a successful annual meeting for Designated Medical Practitioners (DMPs) in November.

Corporate

Work is ongoing on reviewing our accommodation.

6. Items for discussion and/or approval

6.1 *Board Self-Assessment*

The Board discussed its collated assessment, specifically the key strategic risks. These were identified as

- A lack of resources meaning we are unable to fulfil our statutory remit as outlined in our strategic and business plans
- The impact of the National Confidential Forum on the reputation of the Commission should NCF receive negative publicity or be deemed to fail whilst a committee of the Commission
- Inability to change balance of workforce and skill mix if unable to recruit and given no compulsory redundancy policy

The key strategic risks will be developed by the risk management group and an update given to the Board in February.

Discussion followed on Board training and it was agreed that training sessions in the afternoon of the Board meetings be reinstated. It was agreed these should be considered for the first three meetings in the next financial year when the two new Board members will be in place.

Action: Ms McRae to look into arranging training sessions for the first three meetings in the next financial year.

6.2 **Financial Commentary**

The Board were informed that we are still waiting on the impact assessment on replacing servers and associated software upgrades.

6.3 **Business Plan Objectives**

It was noted that this paper was a working draft with the themed visits to be undertaken to individuals on Rehabilitation Wards and to individuals with autistic spectrum disorder. Other areas of significant involvement are the accommodation project and cyber security.

6.4 **CEO mid-year report on objectives**

Contents were noted.

6.5 **Review of Investigations and Casework**

It was explained that the draft report outlined the work undertaken over the past few months involving the Executive Group facilitated by O'Connor Newton Consultancy. It was hoped to have this work completed and new processes in place by April 2018.

6.6 **Advocacy Duty Report**

It was reported that this was the first time the Commission had produced such a report, as part of its new statutory responsibilities. The questionnaire was developed in consultation with advocacy commissioners which was a valuable exercise. The Board was disappointed in the patchwork nature of advocacy provision throughout the country and felt that health boards and local authorities had much to do to comply with the provisions of the Mental Health Act.

It was suggested that this report should be sent to Chief Executives of Health Boards and Local Authorities who should cascade it down to IJBs for discussion.

Action. Report to be finalised taking account of comments and CEO to write to Chief Executives highlighting the recommendations.

6.7 **Board members End of Year Visits Feedback**

Comments were received from Board members on the recent attendance at the various end of year meetings. Overall, the view was that the meetings were constructive.

7. **Items for Information**

7.1 Response to Petitions Committee on PE 1667

Contents were noted.

7.2 Executive Director (Medical) Annual Report

Contents were noted.

7.3 Executive Director (Nursing) Annual Report

Contents were noted.

7.4 Executive Director (Social Work) Annual Report

Contents were noted.

7.5 Executive Director (Engagement & Participation) Annual Report

Contents were noted.

7.6 Cyber Resilience Action Plan

It was noted that this is a major piece of work for the Commission and will be a Board responsibility. The Board will continue to be updated on a regular basis. The Board thanked all staff for their involvement.

8. Any Other Business

No other business was discussed.

9. Date of next meeting – Tuesday 27 February 2018